

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
S/S Beaver Dam Road  
W/S of I-83  
8th Election District  
3rd Councilmanic District  
Signal Development Corp.  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-269-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A3.4.B.A. Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 35 ft. building setback in lieu of the required 50 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for a Residential Variance, the subject property, known as Bishops Pond, zoned R.C.4, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioner is requesting a variance to allow a 35 ft. building setback in lieu of the required 50 ft. caused by the existing nature of the property for a home that has existed for many years.

The Petitioner have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and should, therefore, the relief should not be granted.

In the opinion of the Zoning Commissioner, it is established that the information and affidavits provide sufficient evidence and facts that the proposed variance request would comply with the requirements of Section

307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioner. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of February, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A3.4.B.A. Baltimore County Zoning Regulations (B.C.Z.R.), to permit a 35 ft. building setback in lieu of the required 50 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:mmm  
cc: Peoples Counsel

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

February 18, 1991

Mr. R. Bruce Alderman, President  
Signal Development Corp.  
1615 York Road  
Lutherville, Maryland 21093

RE: Petition for Residential Zoning Variance  
Case No. 91-268-A

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
J. Robert Haines  
Robert Haines  
Zoning Commissioner

JRH:mmm  
encl.  
cc: Peoples Counsel

## AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-269-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/are presently or upon establishment will reside-at own but not reside at the subject property at 13023 Beaver Dam Road  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)  
The existing building is 35 ft. from an established existing property line. The petitioner, concerned governmental agencies and members of the surrounding communities wish to preserve the building because it is a Documented Historically Significant Structure.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

AFFIANT (Handwritten Signature)

AFFIANT (Handwritten Signature)

AFFIANT (Printed Name)

R BRUCE ALDERMAN  
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of November, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

L. Bruce Alderman

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and each with in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

12/24/90

Notary Public

My Commission Expires:

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
P.O. BOX 908 TOWSON, MARYLAND 21204

Description to Accompany  
A Zoning Petition.

December 28, 1990  
RE: Bishops Pond

Beginning at a point located at the intersection of the south right-of-way line of Beaver Dam Road with west right-of-way line of I-83 said point lying southwesterly 120 feet from the centerline intersection of the heretofore mentioned roadways, thence running in a clockwise direction:

- 1) South 08° 45' 10" East 40.00 feet
- 2) South 11° 36' 55" East 100.13 feet
- 3) South 08° 45' 10" East 400.00 feet
- 4) South 07° 19' 15" East 200.06 feet
- 5) South 11° 36' 55" East 100.13 feet
- 6) South 08° 45' 10" East 200.00 feet
- 7) South 04° 59' 35" East 350.76 feet
- 8) South 07° 59' 20" East 150.01 feet
- 9) South 21° 09' 37" East 102.39 feet
- 10) South 08° 45' 10" East 300.00 feet
- 11) South 10° 34' 59" East 66.09 feet
- 12) South 24° 59' 11" West 732.56 feet
- 13) North 48° 12' 30" West 332.25 feet
- 14) North 88° 26' 21" West 48.27 feet
- 15) South 84° 35' 34" West 159.93 feet
- 16) North 50° 11' 05" West 186.13 feet
- 17) North 66° 26' 42" West 181.05 feet
- 18) North 24° 21' 20" West 84.07 feet
- 19) North 62° 23' 29" West 134.51 feet
- 20) South 79° 17' 36" West 133.32 feet
- 21) North 76° 41' 11" West 66.77 feet
- 22) North 62° 46' 56" West 153.79 feet
- 23) North 19° 10' 34" East 877.84 feet
- 24) North 54° 58' 29" West 88.76 feet
- 25) North 08° 28' 12" West 55.64 feet

Description to Accompany  
A Zoning Petition.

December 28, 1990  
Page -2-  
RE: Bishops Pond

- 26) North 27° 53' 47" East 459.79 feet
  - 27) North 87° 21' 14" East 38.22 feet
  - 28) North 02° 38' 46" West 50.00 feet
  - 29) North 20° 27' 40" East 912.05 feet
  - 30) North 18° 02' 40" East 87.37 feet
  - 31) A curve having a radius of 625.00 feet, a length of 23.62 feet and a chord of South 58° 25' 48" East 23.62 feet
  - 32) South 56° 09' 55" East 43.18 feet
  - 33) South 61° 27' 17" East 108.56 feet
  - 34) South 75° 33' 50" East 53.59 feet
  - 35) South 68° 18' 22" East 204.34 feet
  - 36) South 74° 26' 39" East 50.16 feet
  - 37) South 79° 01' 05" East 20.00 feet and
  - 38) South 80° 15' 52" East 83.99 feet to the place of beginning.
- Containing 63.7 acres of land more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT TO BE USED FOR CONVEYANCE OR AGREEMENTS.

## PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

B.C.Z.R. Sec. 1A03.4.B.4 To permit a 35 ft. building setback in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)

This existing building is 35ft. from an established existing property line. The petitioner, concerned governmental agencies and members of the surrounding communities wish to preserve the building because it is a documented historically significant structure

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

Signal Development Corp.

Signature

(Type or Print Name)

Address

R. Bruce Alderman, President

City/State/Zip Code

(Type or Print Name)

Attorney for Petitioner:

Signature

(Type or Print Name)

1615 York Road 828-0606

Signature

Lutherville, MD. 21093

Address

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Attorney's telephone number

Same as Above

Name

Address

ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be posted on the property on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FORGOTTEN TO BE REQUESTED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_.

ORDER RECEIVED FOR FILING

ZONING COMMISSIONER OF BALTIMORE COUNTY

245K - 1/3/91

6:41 p.m. 1/25/91

Date

By

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8th

Date of Posting: January 30, 1991

Posted for: Variance

Petitioner: Signal Development Corporation

Location of property: 13023 Beaver Dam Road, W/S of I-83

Location of Sign: 13023 Beaver Dam Road, on front of subject property

Remarks:

Posted by: L. Bruce Alderman

Date of return: January 25, 1991

Number of Signs: 1



Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-4150  
Number

Date

Please Make Checks Payable To: Baltimore County  
CASHIER'S CHECK  
NEXT BUSINESS DAY

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353  
January 11, 1991

Cignal Development Corporation  
1615 York Road  
Lutherville, Maryland 21093

Re: CASE NUMBER: 91-269-A  
LOCATION: S/S Beaver Dam Road, W/S of I-83

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 23, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is February 7, 1991. Should such request be filed, you will receive notification that the matter will not be heard through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

*[Signature]*  
G. S. Stephens  
(301) 887-3391

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353  
February 13, 1991

Mr. R. Bruce Alderman  
Cignal Development Corp  
1615 York Road  
Lutherville, MD 21093

Re: Item No. 269, Case No. 91-269-A  
Petitioner: Cignal Development Corp.  
Petition for Residential Variance

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*[Signature]*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning  
111 West Chesapeake Avenue  
Towson, MD 21204  
887-3353

Your petition has been received and accepted for filing this 3rd day of January, 1990.

*[Signature]*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*[Signature]*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Cignal Development Corp., et al

Petitioner's Attorney:

Baltimore County Government  
Fire Department  
700 East Joppa Road Suite 901  
Towson, MD 21204-5500  
(301) 887-4500  
JANUARY 14, 1991

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: CIGNAL DEVELOPMENT CORPORATION

Location: S/S BEAVER DAM ROAD

Item No.: 269 Zoning Agenda: JANUARY 14, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *[Signature]* 1-14-91 Noted and  
Planning Group Approved: *[Signature]* Fire Prevention Bureau  
Special Inspection Division

JK/KEK

received  
1/14/91

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 14, 1991  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for January 14, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 245, 246, 262, 267, 271 and 273.

For Item 265, a County Review Group Meeting may be required.

For Item 260, this site must be submitted through the minor subdivision process for review and comments.

For Item 269, the site is subject to the minor subdivision process for review and comments.  
*[Signature]*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 2, 1991  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Cignal Development Corporation, Item No. 269

This office supports the requested variance for a 35 ft. setback. The approval of this request will allow the preservation and revitalization of a historic structure, the Miller's cottage. The Miller's cottage was built in approximately 1925 and is next to the historic Shipley Mill (Maryland Inventory Number 13205).

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM269/ZAC1

received  
4/4/91

BALTIMORE COUNTY, MARYLAND  
SUBJECT: COUNTY REVIEW GROUP COMMENTS  
FROM: ZONING OFFICE  
CRG DATE: 3/7/91  
PRE-CRG DATE: 2/25/91  
PROJECT NAME: Bishop's Pond  
(Amendment to Treestops C.R.G.)  
PLAN: 2/12/91  
LOCATION: S/S Beaver Dam Road,  
SW/Cor I-83  
REV.: REV.:  
DISTRICT: 8c3  
REVISED PLAN KEY:  
(X) COMPLIANCE WITH COMMENT CHECKED  
(O) NON-COMPLIANCE IS CIRCLED  
(BA) BE ADVISED (NOT NECESSARY FOR CRG  
APPROVAL, BUT MUST BE ADDRESSED  
PRIOR TO FINAL ZONING APPROVAL)  
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify obvious conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Request". If a public hearing is requested, the assistance received at the time of filing zoning petitions and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of any public hearing requests:

- P.D.P.  
1. P.D.P. Required S Amend F.D.P. of Treestops -- The F.D.P. of Treestops (last Amended 9/25/87) must be amended to correctly indicate "Partial Development Plan" with provisory section and overall density calculations in accordance with Section 1801.3.A.7 (B.C.Z.R.). A partial development plan is required for "Treestops" (Lots #1-3) and Sewel property in compliance with Section 1801.3.A.3 (B.C.Z.R.).  
2. Zoning Variance (Case #91-269-A) -- To permit the existing tenant house 35 feet from the property line in lieu of the required 50 feet has not been decided by the Zoning Commissioner as of this writing.

COUNTY REVIEW GROUP COMMENTS  
PROJECT NAME: Bishop's Pond  
CRG DATE: 3/7/91  
PRE-CRG DATE: 2/25/91  
PAGE 2

3. Additional Zoning Issues Not Resolved:

- A. Comments dated 2/6/91 by C.A. Milton (see attached).  
B. Compliance with Zoning Policies A-17, RM-17 (see attached).  
C. Identification and chronology of all sources of land area on the overall plan, calculations and notes.  
D. Contingency plan, intent of the developer if the tenant house to remain on Lot #3 is not occupied by a full-time tenant farmer whose principal vocation is working on the farm (Policy RM-19).  
4. Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the F.D.P. checklist information being included on the Final Development Plan.

*[Signature]*  
CATHERINE A. MILTON  
Planner I

CM:scj



BISHOPS POND  
90-519-M

Comments Due: 1/16/91  
Comments Date: 2/6/91

The following information is necessary for this Office to complete the review of the proposed subdivision:

DENSITY/AREA -- Provide accurate gross and net area calculations in compliance with the following: Net Area = the entire overall tract/ownership area (excluding any existing public street right-of-ways; Gross Area = the net area plus 1/2 of the tract boundary street right-of-way that the property is not denied access to, up to a maximum of 30 feet (see zoning Policy RSD-3)). Use the gross area in the density calculation, clearly indicating the source of the additional calculated area over and above the net area.

Note on the plan under the density calculation: "THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT BY THE OWNERSHIP SHOWN SINCE . . . THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS".

EXISTING DWELLING AND BUILDINGS -- (Including Lots #2 & 3) -- Note on the plan print and specifically confirm all buildings to be razed, when, and who will be responsible in the notes. Note on the plan print and specifically confirm all existing buildings and uses to remain, in the notes. Include on the plan and clearly note that the developer's engineer confirms the following existing conditions: uses, including the number of dwelling units, setbacks, dimensions, height and front orientation of all buildings to remain. Clearly indicate compliance with the B.C.Z.R. and remove or clearly propose to amend any existing conditions, planned to remain, that would conflict with the B.C.Z.R. and Policies including, but not necessarily limited to, Sections 400, A-17, RM-13 or specify zoning hearings requested, including case number on the plan.

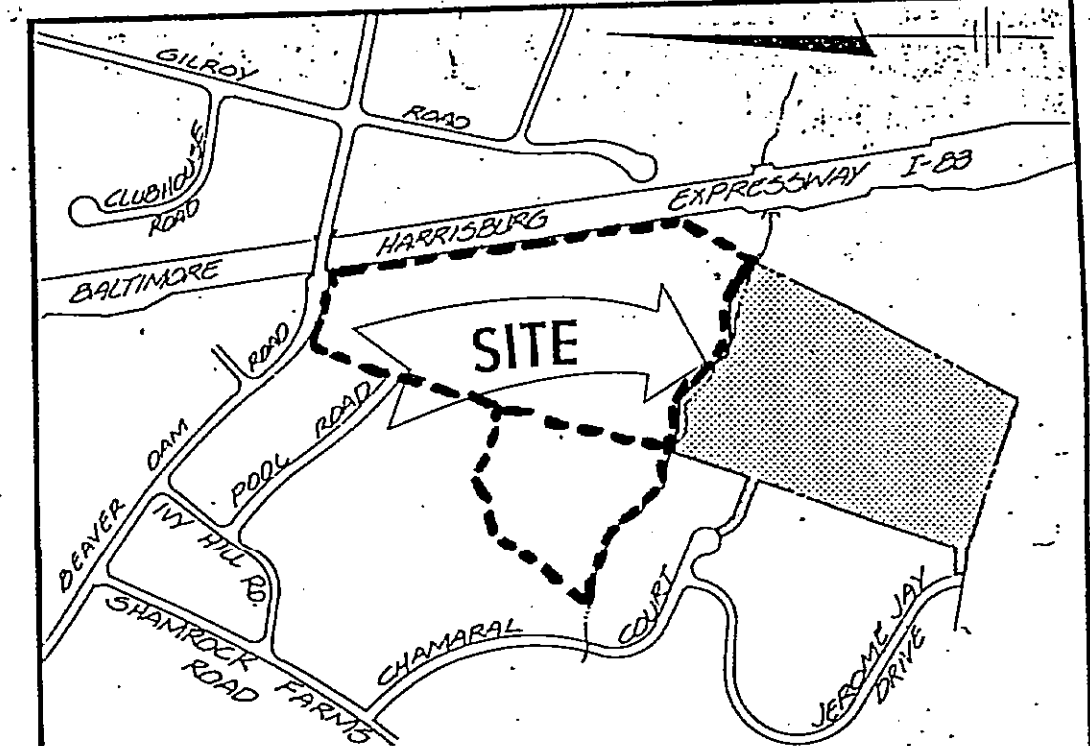
Zoning approval cannot be given until the outcome of the hearing.

If you have any questions, please do not hesitate to call me at 887-3391.

Catherine A. Milton  
PLANNER I

CAM:scj

cc: Current Planning  
Waiver File



#### TABULATION

EXISTING ZONING: RC-4 and RC-5  
AREA OF RC-4 ZONING: 9.769 AC.  
AREA OF RC-5 ZONING: 48.698 AC.  
TOTAL AREA OF TRACT: 57.467 AC.  
NUMBER OF LOTS ALLOWED:  
RC-4: (0.2 X 8.769) = 1.75 = 1 UNIT (NOT CONSIDERED)  
RC-5: (0.667 X 48.698) = 32.48 = 32 UNITS  
TOTAL NUMBER ALLOWED = 33 UNITS  
NUMBER OF LOTS PROPOSED:  
RC-4 = 1 UNIT (PART OF LOT #1, BLOCK B)  
RC-5 = 10 LOTS  
TOTAL = 10 LOTS  
PARKING SPACES REQUIRED (10 X 2) = 20  
PARKING SPACES PROPOSED = 20  
OPEN SPACE REQUIRED = 0  
AVERAGE DAILY TRAFFIC COUNT (ADT)  
BLOCK "A" PANHANDLE = 5 X 12.4 = 60  
BLOCK "B" PANHANDLE = 5 X 12.4 = 60  
TOTAL = 120  
\* After development, traffic volume will be 120 per day, which is within 600 feet of the Center.

FINAL DEVELOPMENT PLAN  
PARTIAL TREE TOPS

OFFICE OF PLANNING AND ZONING  
APPROVED BY:  
DATE: 9/17/90  
ZONING COMMISSIONER

#### A-17 RURAL ACCESSORY USES

Reference S. 400, 101, 404.2

Rev. 1/87

- Accessory structures/uses, customarily found accessory to dwellings, in rural zones, will be subject to section 400
- Farm buildings or accessory farm buildings on property that meets the farm or farmette definition are subject to principal building setbacks of the zone in which they are located.
- Barns and other farm buildings will be permitted on property without a dwelling that meets the farm definition, but they must meet other principal building setbacks in D.R. zones and principal building setbacks in R.C. zones.
- When farms or parcels of land that meet the farm definition are reduced by subdivision, sale, or otherwise, all existing buildings or uses that will remain on the property must meet all provisions of the Baltimore County Zoning Regulations prior to zoning approval. Compliance may be obtained by, i.e. conversion to another use (meeting all applicable regulations), removal or discontinuance of the use, a justification of the farm uses that are to continue on a smaller scale including tenant houses, or a variance or special hearing before the Zoning Commissioner.

Cases- 86-506A

#### Section 400--ACCESSORY BUILDINGS IN RESIDENCE ZONES

[B.C.Z.R., 1955; Bill No. 27, 1963.]

400.1--Accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40% thereof. On corner lots they shall be located only in the third of the lot farthest removed from any street and shall occupy not more than 50% of such third. In no case shall they be located less than 2 1/2 feet from any side or rear lot lines, except that two private garages may be built with a common party wall straddling a side interior property line if all other requirements are met. The limitations imposed by this section shall not apply to a structure which is attached to the principal building by a covered passageway or which has one wall or part of one wall in common with it. Such structure shall be considered part of the principal building and shall be subject to the yard requirements for such a building. [B.C.Z.R., 1955; Bill No. 27, 1963.]

400.2--Accessory buildings shall be set back not less than 15 feet from the center line of any alley on which the lot abuts. [B.C.Z.R., 1955.]

400.3--The height of accessory buildings, except as noted in Section 300 shall not exceed 15 feet. [B.C.Z.R., 1955.]

LOT #  
2,3  
Bishops  
Pond

#### A-17 RURAL ACCESSORY USES

Reference S. 400, 101, 404.2  
BALTIMORE COUNTY, MARYLAND

TO BE SUPPLIED BY  
THE APPLICANT

INTER-OFFICE CORRESPONDENCE

TO: Agricultural Preservation Coordinator  
Department of Environmental Protection  
and Resource Management  
FROM: Mr. J. Robert Haines, Zoning Commissioner  
111 W. Chesapeake Ave. Towson, Maryland

LOT #2 Bishops Pond

SUBJECT: REDUCED ACREAGE FARM

Owner:	Election District	Phone #
Address:	Tax Account Number	

Pursuant to the Zoning Commissioner's policy A-17, this office is officially requesting verification of the legitimacy of a farm use to continue on the reduced acreage on the referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required before the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

the proposed lot + overall subdivision plan  
the deed to the property  
the state tax map for that area, map block parcel

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE ON THE REDUCED ACREAGE

☐ Yes ☐ No ☐ Comment

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Representative of the Agricultural  
Land Preservation Board for  
Baltimore County

#### RM-19 TENANT FARMER'S DWELLINGS

#### A-17 RURAL ACCESSORY USES

Reference S. 400, 101, 404.2  
BALTIMORE COUNTY, MARYLAND

TO BE SUPPLIED BY  
THE APPLICANT

INTER-OFFICE CORRESPONDENCE

TO: Agricultural Preservation Coordinator  
Department of Environmental Protection  
and Resource Management

FROM: Mr. J. Robert Haines, Zoning Commissioner  
111 W. Chesapeake Ave. Towson, Maryland

SUBJECT: REDUCED ACREAGE FARM WITH 1 FULL TIME TENANT FARMER

LOT #3 Bishops Pond

Owner:	Election District	Phone #
Address:	Tax Account Number	

Pursuant to the Zoning Commissioner's policy A-17, and RM-19 this office is officially requesting verification of the legitimacy of a farm use to continue on the reduced acreage on the referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required before the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

1. the signed and notarized tenant affidavit  
2. the deed and property site plans map block parcel  
3. the state tax map for that area, map block parcel

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE AND THE NEED FOR FULL TIME TENANT FARMERS ON THE REDUCED ACREAGE

☐ Yes ☐ No ☐ Comment

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Representative of the Agricultural  
Land Preservation Board for  
Baltimore County

#### RM-19 TENANT FARMER'S DWELLINGS

(also see RM-13.6 tenant trailers)

A. Tenant dwellings are permitted only on farms, and may only be occupied by a tenant farmer whose principal vocation would be farming on the property. (See definition of farm in Section 101, B.C.Z.R.)

B. Tenant dwellings are permitted in the D.R. zones under farms (Section 1801.1.A.7) and in the R.C. Zones under the following sections:  
1A01.2.B.7.i (R.C.2)  
1A02.3.B.7 (R.C.3)  
1A03.4.B.7 (R.C.4)  
1A04.3.B.6 (R.C.5)  
1A05.2.A.4 (R.C. 20 & 50)

C. The Zoning Commissioner requires that the property be a bona fide farm and the occupant of the dwelling be a bona fide tenant farmer. In all cases, a tenant affidavit must be filled out and signed by the owner of the property and a copy of the deed to the property attached. This will be kept on file in the Zoning Office. On small acreage farms or farmettes additional documentation or a special hearing may be required to justify a tenant farmer. Verification and/or recommendation by the Agricultural Land Preservation Advisory Board may be requested regarding the farm use and the need for an on-site tenant.

CONTACT PERSON FOR THE AGRICULTURAL LAND PRESERVATION ADVISORY BOARD:

Mr. Paul Solomon  
Planner III  
Department of Environmental Protection  
and Resource Management  
Phone # 887-3390

SAMPLE AFFIDAVIT OVER

#### AFFIDAVIT

LOT #3 Bishops Pond

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared \_\_\_\_\_

and having been duly sworn, states as follows:

1. That (he/she/they) (is/are) the owner(s) of \_\_\_\_\_ acres of land located at \_\_\_\_\_, in the \_\_\_\_\_ Election District of Baltimore County which was acquired on \_\_\_\_\_ by Deed dated \_\_\_\_\_ and recorded among the Land Records of Baltimore County in Liber \_\_\_\_\_, No. \_\_\_\_\_, folio \_\_\_\_\_, a copy of which is attached hereto.

2. That the primary use of the aforementioned property will be that of a farm as defined in Section 101 of the Baltimore County Zoning Regulations.

3. That the owners in accordance with the application of building permit will construct \_\_\_\_\_

4. That any tenant houses which will be constructed pursuant to any approval and/or permit issued by Baltimore County will be occupied at all times by a farmer whose principal vocation will be farming of the above-described property.

5. With regard to the construction of any tenant house, I understand that I cannot transfer ownership of said tenant house separate and apart from a conveyance of all of the property described in paragraph No. 1 hereof without prior thereto, complying with the requirements of the subdivision regulations. I understand that any transfer or conveyance of a part of the property on which is located a tenant house for which an approval or permit is now being granted without complying with the requirements of the subdivision regulations (inclusive of approval of a subdivision plat by the Planning Board) is a violation of the law. I will not transfer or convey any part of my property without complying with the requirement of the subdivision regulations.

Owners

AS WITNESS my hand and Notarial Seal the day and year first above written

NOTARY PUBLIC

#### RM-19 (CONTINUED) SAMPLE

#### BALTIMORE COUNTY, MARYLAND

TO BE SUPPLIED BY  
THE APPLICANT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Paul Solomon  
Planner III  
Department of Environmental Protection  
and Resource Management

Date: 21 DECEMBER 1990

FROM: Mr. J. Robert Haines, Zoning Commissioner  
111 W. Chesapeake Ave. Towson, Maryland

91-269-A

SUBJECT: Application for tenant ☒ Dwelling ☐ Trailer

Owner:	CIALAL DEVELOPMENT CORP.	Phone #	828-2606
Address:	15023 BEAVER DAM ROAD	Tax Account Number	
	COLLEGEVILLE, MD 21040		

Pursuant to the Zoning Commissioner's policies RM-13 and RM-19, this office is officially requesting verification of the legitimacy of a farm use and the need for an on-site full time tenant farmer on the above referenced property. In the judgement of the Zoning Supervisor and/or the Zoning Commissioner, in consideration of your findings, a special hearing may be required before the Zoning Commissioner prior to any zoning approvals. We are submitting a copy of:

1. the signed and notarized tenant affidavit  
2. the deed to the property  
3. the state tax map for that area, map block parcel

We appreciate your verification and/or recommendations concerning this property.

LEGITIMACY OF A FARM USE

☐ Yes ☐ No ☐ Comment

NEED FOR AN ON-SITE TENANT FARMER

☐ Yes ☐ No ☐ Comment

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Representative of the Agricultural  
Land Preservation Board for  
Baltimore County

#269



AFFIDAVIT

91-269-A

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 20th day of December, 1990 before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared R. Bruce Alderman, President

Signal Development Corp., and having been duly sworn, states as follows:

1. That (he/she/they) (is/are) the owner(s) of 63.5+- acres of land located at Beaver Dam Rd & I-83, in the 8th Election District of Baltimore County which was acquired on by Deed dated June 16, 1988 and recorded among the Land Records of Baltimore County in Liber SM, No. 7894, folio 64, a copy of which is attached hereto.

2. That the primary use of the aforementioned property will be that of a farm as defined in Section 101 of the Baltimore County Zoning Regulations.

3. That the owners in accordance with the application of building permit will construct Existing Building

4. That any tenant houses which will be constructed pursuant to any approval and/or permit issued by Baltimore County will be occupied at all times by a farmer whose principal vocation will be farming of the above-described property.

5. With regard to the construction of any tenant house, I understand that I cannot transfer ownership of said tenant house separate and apart from a conveyance of all of the property described in paragraph No. 1 hereof without, prior thereto, complying with the requirements of the subdivision regulations. I understand that any transfer or conveyance of a part of the property on which is located a tenant house for which an approval or permit is now being granted without complying with the requirements of the subdivision regulations (inclusive of approval of a subdivision plat by the Planning Board) is a violation of the law. I will not transfer or convey any part of my property without complying with the requirement of the subdivision regulations.

Signal Development Corp.

By: R. Bruce Alderman, President  
Owners

AS WITNESS my hand and Notarial Seal the day and year first above written

Notary Public

#269

CASE #: 91-269-A



PHOTO #1 BISHOP POND



PHOTO #2 BISHOP POND

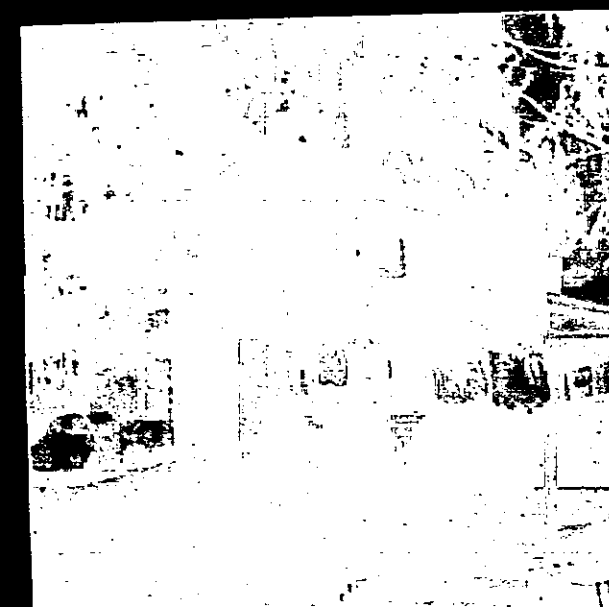


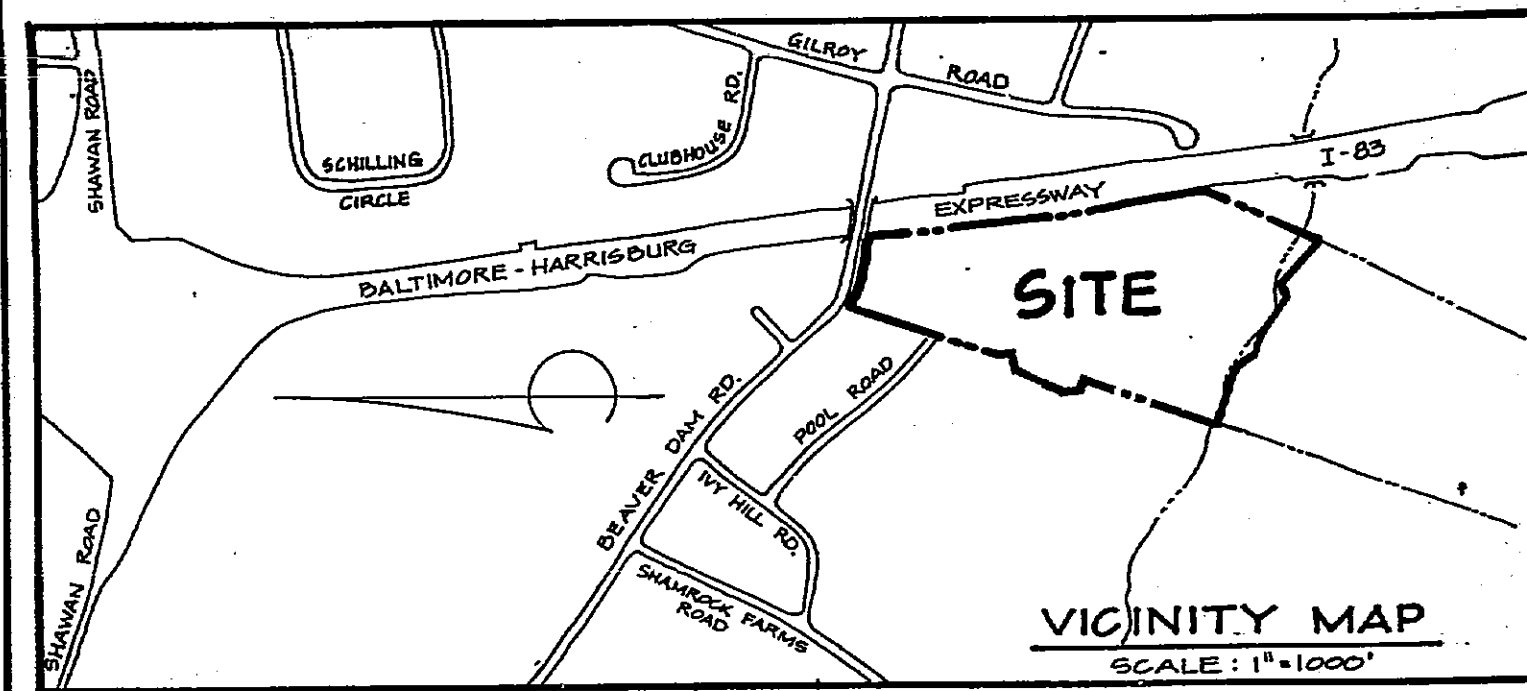
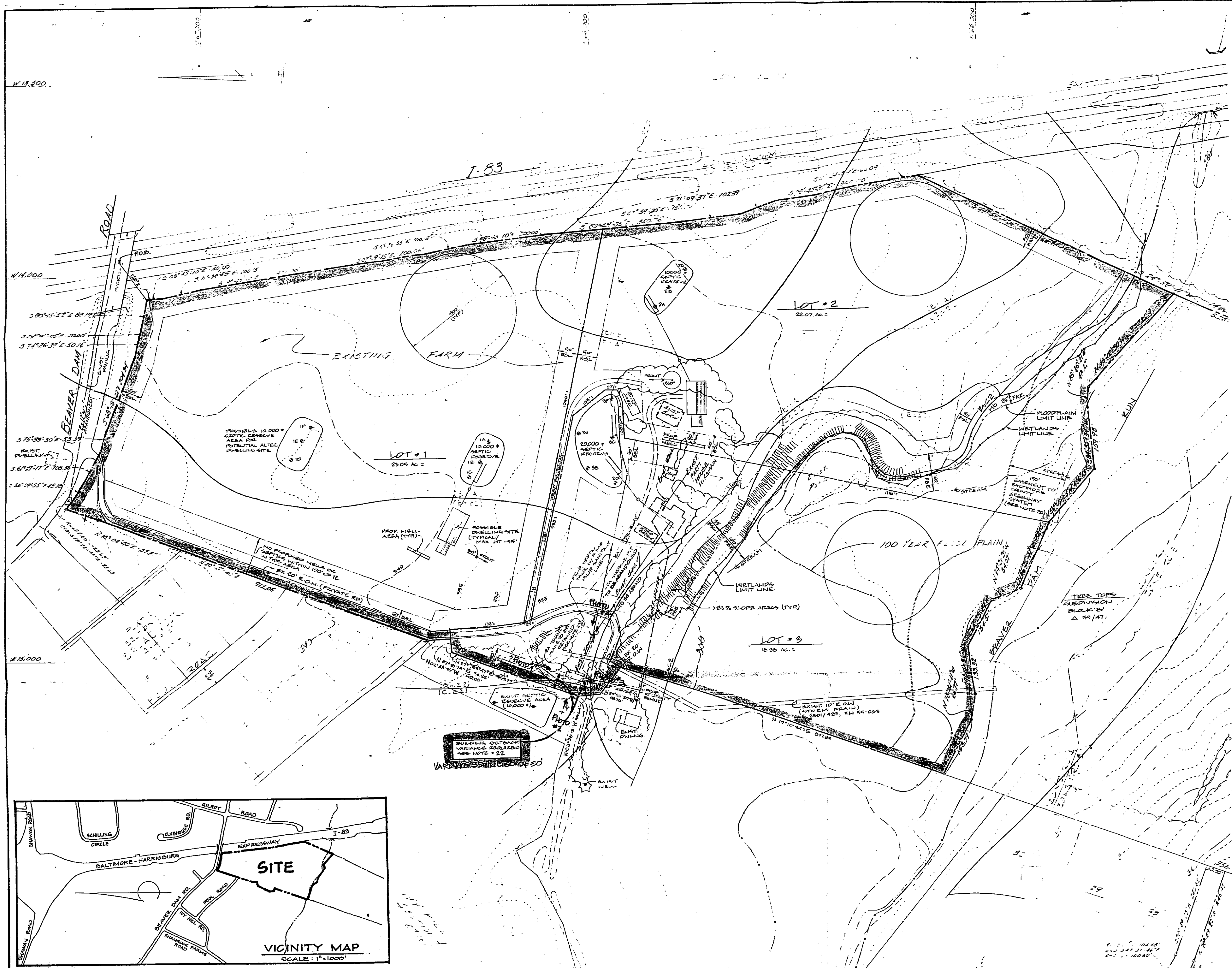
PHOTO #3 BISHOP POND



PHOTO #4 BISHOP POND

PETITIONER'S EXHIBIT #2





- GENERAL NOTES:**
- 1) SITE AREA - NET - 0.97 ACRES ± (0.99 AC BEAVER DAM E.D. ROW)
  - 2) EX. ZONING - EC-4
  - 3) SECTION DISTRICT - #3
  - 4) COUNCILMANIC DISTRICT - #3
  - 5) CENSUS TRACT - #4003
  - 6) WATERSHED - #11
  - 7) SUBDIVISION - #70
  - 8) TAX ACCOUNT # 08-11-01810
  - 9) DEED REFERENCE - 7094/004
  - 10) TAX MAP # 51, BLOCK # 2, PARCEL # 7
  - 11) DENSITY CALCULATIONS  
 LOTS PERMITTED - 409 AC ± 2 LOTS/AC ± 15.52 UNITS  
 UNITS PROPOSED - 3 LOTS FOR SINGLE FAMILY DWELLING
  - 12) REGIONAL PLANNING DISTRICT - NORTHERN SECTOR
  - 13) SCHOOL DISTRICT - PORT GREEN BLUMSBURY
  - 14) LANDSCAPING - NOT REQUIRED IN EC-4 ZONE
  - 15) LOCAL OPEN SPACE - NOT REQUIRED IN EC-4 ZONE
  - 16) PARKING - 2 SP/UNIT - 6 SP ± 4 SP REQUIRED  
 PROVIDED - 4 SPACES
  - 17) THERE ARE NO KNOWN HAZARDOUS MATERIALS SITES KNOWN TO EXIST ON THIS PARCEL
  - 18) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER BASEMENT EXCEPT AS PERMITTED BY THE DEPT OF ENVIRONMENTAL PROTECTION AND FOREST MANAGEMENT
  - 19) PROTECTIVE COVENANTS GOVERNING THE USE OF THE FOREST BUFFER BASEMENT SHALL BE REQUIRED IN THE LAND RECORDS OF BALTIMORE COUNTY. THESE COVENANTS SHALL RUN WITH THE LAND AND CONTINUE IN PERPETUITY
  - 20) THE EXISTING GROUNDWATER SYSTEM SHALL PERMIT ACCESS FOR PEDESTRIAN USE AND FOR MAINTENANCE UNDER THE AUSPICES OF BALTIMORE COUNTY. ANY FUTURE IMPROVEMENTS WITHIN THE GREENWAY AREA WHICH WILL PERMIT OTHER THAN PEDESTRIAN AND MAINTENANCE USE WILL BE NEGOTIATED BY BALTIMORE COUNTY AND THE PROPERTY OWNER.
  - 21) EXEMPTION TO ENVIRONMENTAL & OF THE SUBDIVISION MAPS, CONFIRMED BY DEPT OF PLANNING & ZONING & A 0 20 TO LETTER FROM DPHS
  - 22) ZONING REQUESTS  
 1. A VARIANCE FROM SECT. 1403.4.14 TO PERMIT A 99' BUILDING SETBACK IN LIEU OF THE REQUIRED 60' (ADMINISTRATIVE) & COURTESY APPLICATION TO ALLOW A TENANT DWELLING ON LOT #5.  
 2. REQUEST TO THE AGRICULTURAL AND PRESERVATION ADVISORY BOARD (APPROVAL OF APPLICATION TO PERMIT A TENANT DWELLING ON LOT #5.  
 3. EXISTING BARN HOUSE & TENANT HOUSE CONTAIN MANY LAND HISTORIC TENANT INVENTORIES.

91-269-A

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

Petitioner's Exhibit 1

#269

NOTE: PROPOSED INTERIOR LOT LINES ARE NOT FINAL. THE VARIANCES REQUESTED ARE FROM EXISTING RECORDED LINES OF DIVISION.

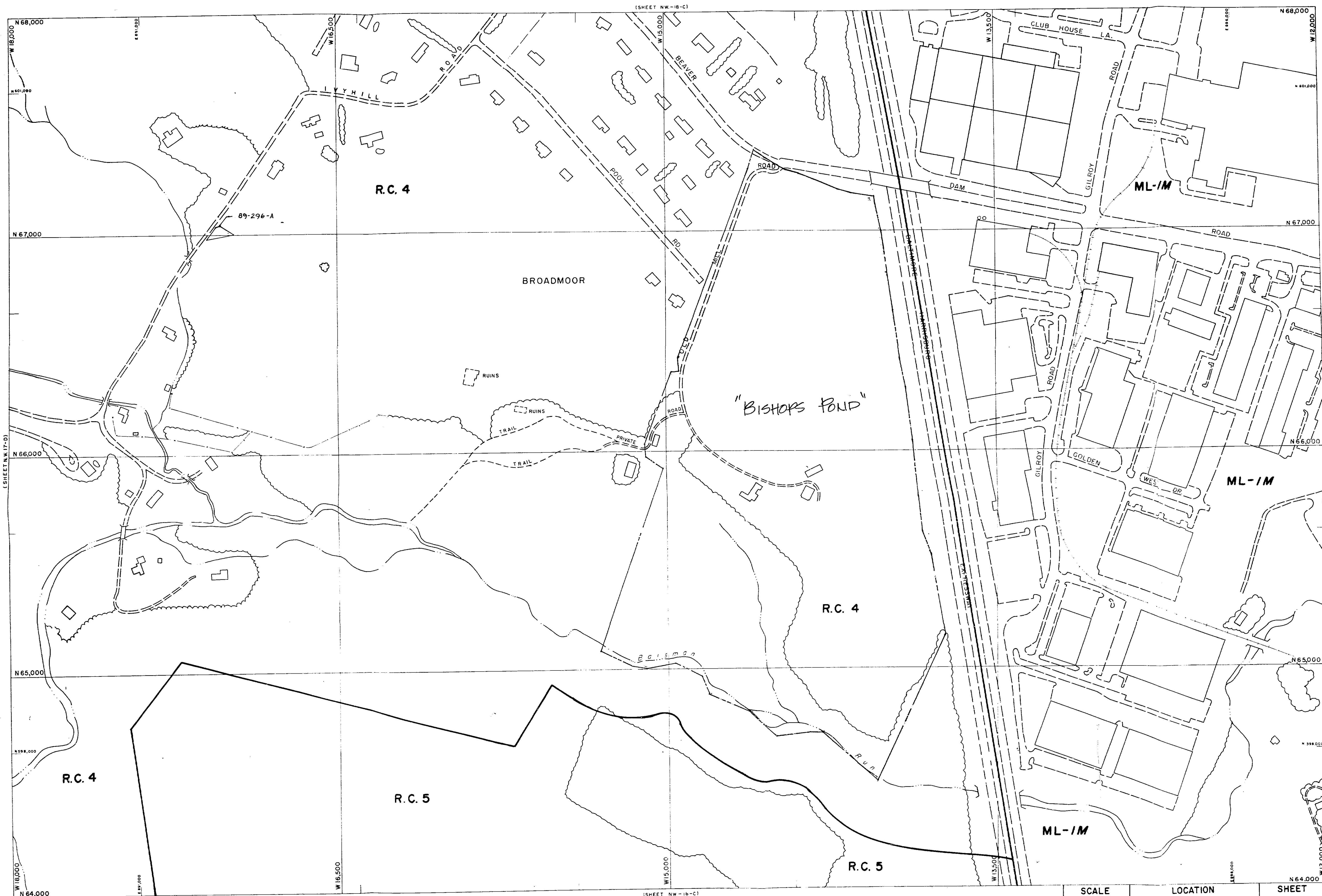
OWNER / DEVELOPER  
 FINAL DEVELOPMENT MAP  
 15' TOE ROAD  
 STREET USE NO. 61043

BISHOPS POND

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

MINOR SUBDIVISION PLAN





V-SW V-SE

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
DR Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88  
*[Signature]*  
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

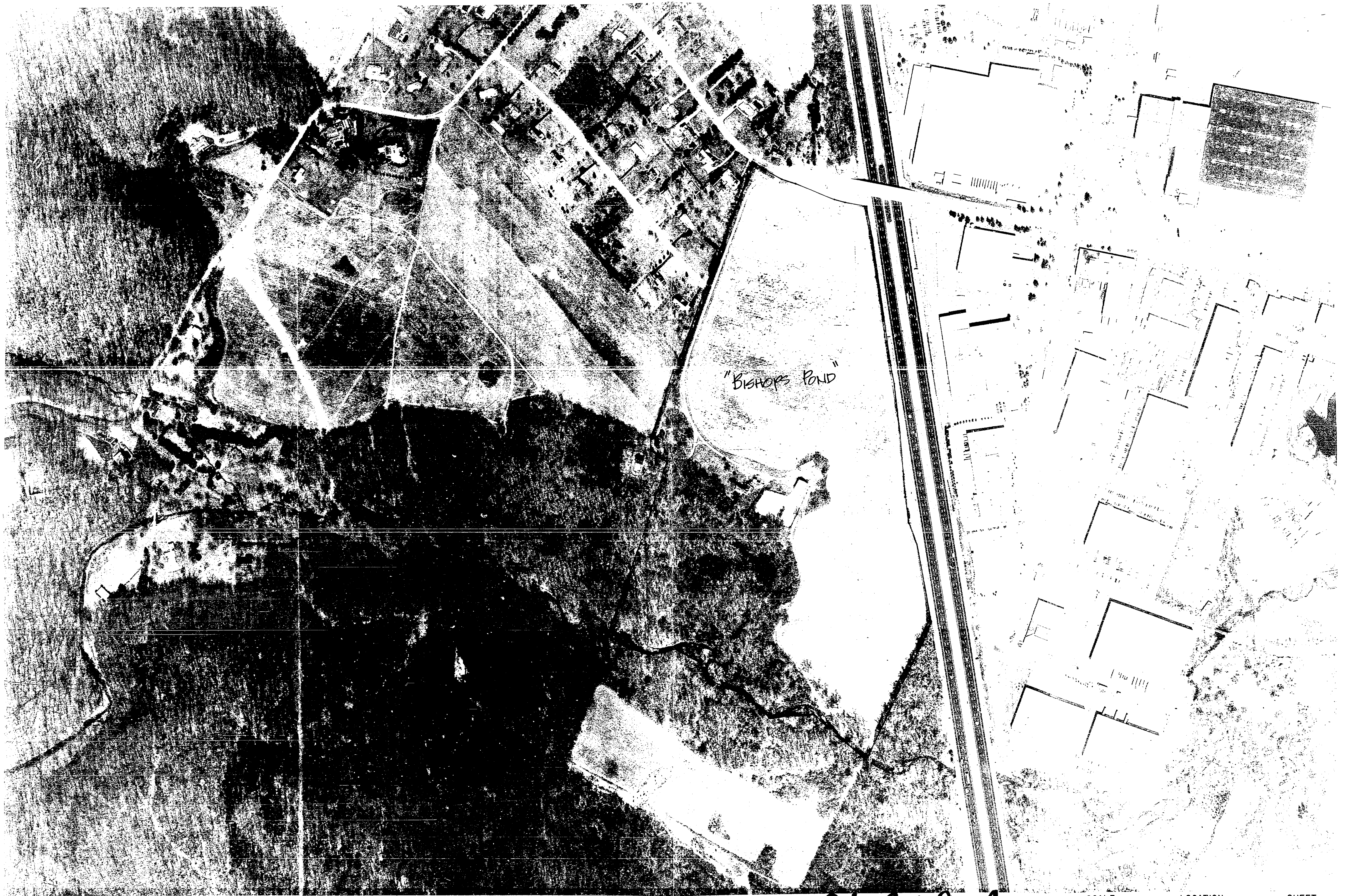
# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

#269

SCALE 1" = 200' ±	LOCATION COCKEYSVILLE	SHEET N. W. 17-C
DATE OF PHOTOGRAPHY JANUARY 1986		

91-269-A





BALTIMORE COUNTY **91-269-A**  
OFFICE OF PLANNING AND ZONING **#269**  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE	COCKEYSVILLE	N.W.
OF		17-C
PHOTOGRAPHY		
JANUARY		
1966		